

MAY 26 2006

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURTIN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

WILLIAM A. BROMLEY,

Plaintiff,

vs.

ILLINOIS CENTRAL RAILROAD
COMPANY, d/b/a CANADIAN
NATIONAL RAILWAY, a corporation,

Defendant.

06CV2959

JUDGE HIBBLER

MAGISTRATE SCHENKIER

TRIAL BY JURY DEMANDED

COMPLAINT

COMES NOW the Plaintiff, William A. Bromley, by and through his attorneys, Rick Rosen of Rosen Law Firm and Robert Drummond of The Drummond Law Firm, and for his cause of action against the Defendant states as follows:

COUNT I(FELA)(CN/ILLINOIS CENTRAL RAILROAD COMPANY)

1. That on July 6, 2005, and for some time prior thereto, the Defendant was a corporation duly existing according to law to engage in, and was at all times mentioned herein, engaged in doing business as a common carrier by rail in the State of Illinois and other states of the United States.
2. That on July 6, 2005, and at all times mentioned herein, Defendant maintained offices, buildings, tracks and yards in Homewood, IL.

3. That on July 6, 2005, and at all times mentioned herein, the Plaintiff was employed by Defendant as a machinist in Homewood, IL and working in interstate commerce and subject to the provisions of the Federal Employer's Liability Act, Title 45 U.S.C., Section 51, et seq.

4. That on July 6, 2005, Plaintiff was employed doing his regular duties at the Defendant's facility in Homewood, IL.

5. That at the aforesaid time and place, Plaintiff was in the process of tightening cap bolts on an EMD model D traction motor when the defective twenty-five (25) pound spine-drive pneumatic air impact wrench he was using caused injury to his neck and left shoulder.

6. That on July 6, 2005, at the aforesaid time and place, and for some time prior thereto, Defendant, by and through its agents and employees, was negligent in one or more of the following ways with respect to this injury:

- a. Failed to have a safe way to perform the work the Plaintiff was required to do;
- b. Failed to provide a safe place to work;
- c. Failed to provide safe and adequate tools to do the work required;
- d. Failed to properly maintain its tools and equipment;
- e. Failed to modernize its tools and equipment;
- f. Failed to provide adequate help to do the work required; and
- g. Was otherwise careless and negligent.

7. That as a result of one or more of one or more of the foregoing negligent acts and/or omissions, the Plaintiff sustained severe and permanent injuries to his neck and left shoulder; the Plaintiff has incurred medical expenses and will in the future incur

medical expenses in an effort to cure himself; Plaintiff has lost wages and will lose such wages in the future that he would have made and acquired; Plaintiff has experienced physical pain and suffering in the past and will experience physical pain and suffering in the future; Plaintiff has been damaged in his ability to work and his normal pursuits of recreational and work activity all of which injuries and conditions are permanent

8. The Plaintiff demands trial by jury.

WHEREFORE, Plaintiff, William A. Bromley, prays for judgment against Defendant in an amount in **excess of \$50,000** and for such other and further relief as is deemed fair and reasonable.


One of the Attorneys for the Plaintiff

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